

Message Text

PAGE 01 STATE 127206

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ORIGIN STR-02

INFO OCT-01 ISO-00 EB-01 /004 R

66615
DRAFTED BY STR:RDROITSCH:MAM
APPROVED BY STATE:EB/TA:WGBARRACLOUGH
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R 310206Z MAY 75
FM SECSTATE WASHDC
TO USDEL MTN GENEVA

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FOL REPEAT OECD PARIS 13306 SENT AACTION SECSTATE
MAY 23

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LIMITED OFFICIAL USE OECD PARIS 13306

E.O. 11652: N/A
TAGS: ETRD, OECD
SUBJECT: TCWP MEETING ON EXPORT CONTROLS JUNE 3-4

1. SECRETARIAT PAPER TFD/TD/855 (DRAFT REPORT TO THE
TRADE COMMITTEE ON POSSIBLE OPTIONS FOR STRENGTHENING
INTERNATIONAL COOPERATION IN THE FIELD OF EXPORT CON-
TROLS) WAS HAND CARRIED TO DEPARTMENT MAY 19 BY R. SWART,
EB/ODF. MISSION WOULD APPRECIATE EARLY INFORMATION ON
WASHINGTON REPRESENTATION PLANNED AND GUIDANCE FOR
JUNE 3-4 MEETING.

2. MISSION COMMENT ON PAPER: ALTHOUGH 855 IS IMPROVE-
MENT OVER PREVIOUS EFFORTS, WE BELIEVE SOME REVISION
WOULD MAKE IT (A) MORE USEFUL IN TERMS OF PROVIDING
INPUT TO OTHER OECD ACTIVITIES (SUCH AS POSSIBLE HIGH
LEVEL GROUP ON COMMODITIES PROBLEMS), OR GATT NEGOTIA-
TIONS, AND (B) MORE ACCEPTABLE TO CANADIANS AND
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AUSTRALIANS. AS IT STANDS, PAPER STILL SEEMS TO OVER-
EMPHASIZE GENERAL CODE IDEA, EQUATING THIS IN SOME
PLACES WITH "MULTILATERAL APPROACH". INDEED PAPER
APPEARS DESIGNED TO LEAD TO CONCLUSION THAT CODE IS

MOST IMPORTANT AVENUE OF POSSIBLE INCREASED COOPERATION.

3. REFOCUSING EARLY PORTIONS WOULD HELP GIVE PAPER BETTER BALANCE. INTRODUCTION, FOR EXAMPLE, ATTRIBUTES MAIN REASON FOR CONCERN ABOUT EXPORT CONTROLS TO "FEAR OF LOOPHOLE IN TRADE REGULATIONS" (PARA 8). EQUALLY IMPORTANT WOULD SEEM TO BE RECOGNITION THAT SUPPLY ACCESS IS LIKELY TO BE SUBJECT OF NEGOTIATIONS IN GATT OR OTHER FORUMS AND VALUE FOR MEMBER STATES OF EXPLORING OPTIONS FOR COMMITMENTS IN THIS AREA.

4. PARAS 14 AND 15 UNDER "AIMS" SECTION SEEM PARTICULARLY UNBALANCED AND LIKELY TO BRING FORTH NEGATIVE REACTION TO PAPER BY EXPORTERS. FORMER MIGHT BE RESTRUCTURED IN TERMS OF DESIRE OF COUNTRIES TO IMPROVE THEIR ACCESS TO SUPPLIES IN WAYS WHICH SAFEGUARD THE INTERESTS OF BOTH IMPORTERS AND EXPORTERS AND TO AVOID ACTIONS WHICH RESULT, UNDER ABNORMAL SITUATIONS, IN AN UNDUE SHIFTING OF THE BURDEN OF ADJUSTMENT TO CUSTOMERS ABROAD. PARA 15 COULD THEN BE REVISED TO PHRASE THE QUESTION NOT AS "WHAT SET OF RULES SHOULD GOVERN ALL TRADE POLICIES RELATING TO EXPORTS," BUT "WHAT KINDS OF COMMITMENTS, INCLUDING POSSIBLY GENERAL RULES OF BEHAVIOR, MIGHT COUNTRIES OFFER OR REQUEST CONCERNING US OF EXPORT CONTROLS."

5. PARAS 32 AND 35 WOULD APPEAR TO NEED CONSIDERABLE STRENGTHENING. AS "SECTORAL APPROACH" IS THE PREFERRED "OPTION" FROM THE POINT OF VIEW OF CANADA, AUSTRALIA, AND POSSIBLY OTHER EXPORTERS, IT SHOULD BE GIVEN MORE EXTENDED TREATMENT AND JUDGMENTS SUCH AS THOSE IN PARA 35 WHICH TILT THE PAPER TOWARD THE GENERAL CODE SHOULD BE AVOIDED. SECTION AS IT STANDS REFERS PRIMARILY TO TRADITIONAL COMMODITY AGREEMENTS AND QUANTITATIVE COMMITMENTS OF SUPPLY AND ACCESS. IT WOULD SEEM DESIRABLE TO INCLUDE THE POSSIBILITY OF A WIDE RANGE OF POSSIBLE FORMS OF COMMITMENTS, INCLUDING SUBSCRIPTION LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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TO A CODE OF CONDUCT FOR PARTICULAR COMMODITIES, AND POSSIBILITY OF UNDERTAKING COMMITMENTS OUTSIDE FRAMEWORK OF PRICE STABILIZATION AGREEMENTS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRADE, MEETINGS, EXPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE127206
Document Source: ADS
Document Unique ID: 00
Drafter: STR:RDROITSCH:MAM
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D750190-1116
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197505104/baaaalji.tel
Line Count: 107
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN STR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 16 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 MAY 2003 by CunninFX>; APPROVED <06 OCT 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: ETRD, OECD
To: MTN GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006